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LAW DEPARTMENT

NOTIFICATION

The 8th November, 2025

No.18203—I-Legis-23/2025/L.—The following ordinance promulgated by the Governor of Odisha on the 5th November, 2025 is hereby published for general information.

ODISHA ORDINANCE 3 OF 2025

THE ODISHA SHOPS AND COMMERCIAL ESTABLISHMENTS (AMENDMENT) ORDINANCE, 2025

AN

ORDINANCE

FURTHER TO AMEND THE ODISHA SHOPS AND COMMERCIAL ESTABLISHMENTS ACT, 1956.

WHEREAS, the Legislative Assembly of the State of Odisha is not in session;

AND, WHEREAS, the Governor of Odisha is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Odisha Shops and Commercial Establishments Act, 1956 in the manner hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Odisha is pleased to promulgate the following Ordinance in the Seventy-sixth Year of the Republic of India as follows:-

Short title and Commencement.

1. (1) This Ordinance may be called the Odisha Shops and Commercial Establishments (Amendment) Ordinance, 2025.

(2) It shall come into force at once.

Amendment of Section 1.

2. In the Odisha Shops and Commercial Establishments Act, 1956 (hereinafter referred to as the principal Act), in Section 1, after sub-section (2), the following sub-section shall be inserted, namely:— Odisha Act 30 of 1956.

"(2-a) The provisions of this Act, except sub-section (2-a) of Section 4 shall apply to the establishments employing twenty or more employees.".

Amendment of Section 4.

3. In the principal Act, for Section 4, the following section shall be substituted, namely:-

"4. (1) On and from the date of commencement of the Odisha Shops and Commercial Establishments (Amendment) Ordinance, 2025, the employer of every establishment employing twenty or more employees shall, within a period of six months from the date of commencement of his business, apply for registration and obtain registration certificate;

(2) Every application for registration under sub-section (1) shall be made in such form and in such manner together with such fee, as may be prescribed;

(3) The Inspector shall, on receipt of an application under sub-section (2), register the establishment and issue a registration certificate to the employer within seven working days in such form, as may be prescribed. If the registration certificate is not issued by the Inspector within a period of seven working days from the date of receipt of application, the registration certificate shall be deemed to have been granted under this Act.".

Amendment of Section 7.

4. In the principal Act, in Section 7, in sub-section (1),-

(i) for the existing words "nine hours", the words "ten hours" shall be substituted;

(ii) for the first proviso, the following proviso shall be substituted, namely:—

"Provided that the total number of hours of work including overtime shall not exceed twelve hours in any day:"

(iii) in the second proviso, for the word “fifty”, the words “one hundred and forty four” shall be substituted.

Amendment of Section 8.

5. In the principal Act, in Section 8, in sub-section (1), for the words “nine hours”, the words “ten hours” shall be substituted.

Amendment of Section 9.

6. In the principal Act, for Section 9, the following section shall be substituted, namely,─

“9. The period of work of an employee in an establishment shall not exceed six continuous hours without an interval for rest of at least half an hour.”.

Amendment of Section 11.

7.In the principal Act, for Section 11, the following section shall be substituted, namely,─

“11. Every establishment in the State may remain open 24x7 subject to the condition that every employee shall be given overtime wages as per Section 8 and one day weekly holiday as per Section 12. The employees shall be provided access to washroom, drinking water facilities, seating facilities and other basic amenities.”.

Amendment of Section 12.

8. In the principal Act, for Section 12, the following section shall be substituted, namely,─

“12. (1) The establishments may remain open for 365 days in a year, subject to the conditions that every employee shall be allowed weekly holiday of at least twenty-four consecutive hours of rest. This is without prejudice to the existing practice in establishments which allow one and a half day's rest.

(2) If an employee is denied weekly holiday, the compensatory leave in lieu thereof shall be given within three months of such weekly holiday.

(3) No deduction shall be made from the wages of any employee in any establishment on account of the holiday given to him under sub-section (1).

(4) If any employee is employed on daily wages, he shall

nonetheless be paid his wages for the weekly holiday:

Provided that nothing in this sub-section shall apply to any person, who is employed on daily wages and whose total period of continuous employment in a week, including any days spent on leave admissible under the Act, is less than six days.".

Amendment of Section 23.

9. In the principal Act, for Section 23, the following section shall be substituted, namely:-

"23. Prohibition of employment of adolescent during night.- No adolescent shall be required or allowed to work whether as an employee or otherwise in any establishment during night.".

Insertion of Section 23A.

10. In the principal Act, after Section 23, the following section shall be inserted, namely:-

"23A- Allowing women employees to work during night.

23A. The State Government, may by notification in the official Gazette, allow employment of women employees during night with their written consent, subject to such conditions of safety, security and dignity of women, as may be prescribed.".

Dated the 5th November, 2025

HARI BABU KAMBHAMPATI
GOVERNOR OF ODISHA

PRANAB KUMAR PATRA
Principal Secretary to Government (I/c)

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